



that are to be considered on a motion to dismiss. *See Reyes v. Topgolf Int'l, Inc.*, 2018 WL 704734, \*4 (N.D. Tex. Feb. 5, 2018).

Counsel for Defendants have conferred with counsel for Plaintiffs, who indicated they do not oppose Defendant's extension motion provided that Plaintiffs' deadline for filing their reply in support of the Motion to Amend is also extended, from December 28, 2020, to January 8, 2021, in light of the holiday period. Defendants are not opposed to that request.

Accordingly, Defendants respectfully request that the Court set December 14, 2020, as the deadline for Defendants to respond to Plaintiffs' Motion to Amend, and set January 8, 2021, as the deadline for Plaintiffs to file their reply in support of their Motion to Amend.

DATED: November 16, 2020

Respectfully submitted,

/s/ Michael L. Raiff

Robert C. Walters

Texas Bar No. 20820300

Michael L. Raiff

Texas Bar No. 00784803

GIBSON, DUNN & CRUTCHER LLP

2001 Ross Avenue, Suite 2100

Dallas, Texas 75201

Telephone: 214.698.3350

Facsimile: 214.571.2927

RWalters@gibsondunn.com

MRaiff@gibsondunn.com

Brian M. Lutz (admitted *pro hac vice*)

GIBSON, DUNN & CRUTCHER LLP

555 Mission Street, Suite 3000

San Francisco, CA 94105-0921

Telephone: 415.393.8200

Facsimile: 415.374.8474

BLutz@gibsondunn.com

Lissa M. Percopo (admitted *pro hac vice*)

GIBSON, DUNN & CRUTCHER LLP

1050 Connecticut Ave., N.W.

Washington, D.C. 20036

Telephone: 202.887.3770

Facsimile: 202.530.9528

LPercopo@gibsondunn.com

COUNSEL FOR DEFENDANTS

**CERTIFICATE OF SERVICE**

I hereby certify that on the 16th day of November, 2020, the foregoing document was filed using the Court's CM/ECF system. In addition, (1) the filing is available for viewing and downloading via the CM/ECF system, and (2) the CM/ECF system will send notification of this filing to all attorneys of record who have registered for CM/ECF updates.

/s/ Michael L. Raiff  
Michael L. Raiff

**CERTIFICATE OF CONFERENCE**

Lissa Percopo, counsel for Defendants, conferred with Darryl Alvarado, counsel for Lead Plaintiffs, on November 11, 2020, via email. Plaintiffs informed Defendants that they do not oppose Defendants' request for an extension provided that Plaintiffs' reply brief deadline is extended to January 8, 2021.

/s/ Michael L. Raiff  
Michael L. Raiff